

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW MEXICO**

STATE OF NEW MEXICO *ex rel.*  
State Engineer,

Plaintiff,  
v.

ROMAN ARAGON, *et al.*,

Defendants.

69cv07941-BB

RIO CHAMA STREAM SYSTEM  
Canjilon Creek, Section 3

**WAIVER OF SERVICE OF SUMMONS**

To: Edward G. Newville  
State Engineer Office  
P.O. Box 25102  
Santa Fe, NM 87504-5102

I acknowledge receipt of your request that I waive service of a summons in the action of State of New Mexico *ex rel.* State Engineer v. Aragon, which is case number 69cv07941 BB-ACE in the United States District Court for the District of New Mexico. I have also received a copy of the complaint in the action, two copies of this instrument, and a means by which I can return the signed waiver to you without cost to me.

I agree to save the cost of service of a summons and an additional copy of the complaint in this lawsuit by not requiring that I (or the entity on whose behalf I am acting) be served with judicial process in the manner provided by Rule 4 of the Federal Rules of Civil Procedure.

I (or the entity on whose behalf I am acting) will retain all defenses or objections to the adjudication suit or to the jurisdiction or venue of the court except for objections based on a defect in the summons or in the service of the summons.

I understand that the time allowed within which I must answer the complaint was extended pursuant to the procedural order entered by the court on October 20, 2003 and that I am not obligated to file an answer until July 15, 2004.

Rafael Garcia

Signature RAFAEL GARCIA

P.O. Box 462 Canjilon NM  
87515

Rafael Garcia

Printed or typed name

8-25-07

Date